

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CLARKE AND REBECCA WIXON, et al.,

Plaintiffs,

No. C 07-02361 JSW

v.

TRENDWEST RESORTS INC, et al.,

Defendants.

**ORDER TO SHOW CAUSE WHY
DOCUMENTS SHOULD NOT BE
FILED IN THE PUBLIC RECORD**

On April 24, 2009, Plaintiffs filed an Administrative Motion to File Under Seal, in which they seek to file under seal documents designated as confidential by Defendant Wyndham Resort Development Corporation ("WRDC"). On that same day, the Director Defendants filed a motion to seal Exhibit 3 to the Declaration of Stephanie Aardal, which is also a document that WRDC has designated confidential.

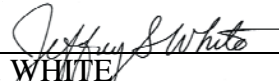
Pursuant to Northern District Civil Local Rule 79-5(d), when a party wishes to file a document that has been designated confidential by another party, "[w]ithin five days thereafter, the designating party *must* file with the Court and serve a declaration establishing that the designated information is sealable, and must lodge and serve a narrowly tailored proposed sealing order, or *must* withdraw the designation of confidentiality." WRDC has not filed its Rule 79-5(d) declaration within the requisite time period.

Accordingly, WRDC is HEREBY ORDERED TO SHOW CAUSE why the documents should not be filed in the public record. WRDC must file a declaration by no later than May 11, 2009, or the Court shall order that the documents be filed publicly. *See* N.D. Civ. L.R. 79-5(d).

1 It is FURTHER ORDERED that *all parties* are hereby placed on notice that failure to
2 comply with Local Rule 79-5(d) in the future shall result in documents being filed in the public
3 record without further order of the Court.

4 **IT IS SO ORDERED.**

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6 Dated: May 7, 2009

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9 JEFFREY S. WHITE
10 UNITED STATES DISTRICT JUDGE
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